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Counsel for Official Committee of Unsecured Creditors

General Counsel for Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION**

In re:

Chapter 11

THE LITIGATION PRACTICE GROUP,
P.C.,

Case No. 8:23-bk-10571-SC

Debtor.

**DECLARATION OF RICHARD A.
MARSHACK IN SUPPORT OF
APPLICATION FOR ORDER SETTING
HEARING ON SHORTENED NOTICE**

[No Hearing Required under LBR 9075-1(b)]

DECLARATION OF RICHARD A. MARSHACK

I, Richard A. Marshack, declare as follows:

3 1. I am the chapter 11 trustee appointed in the bankruptcy case of The Litigation Practice
4 Group P.C. (the “Debtor”) pending before the United States Bankruptcy Court for the Central District
5 of California (the “Court”) under the case captioned, *In re The Litigation Practice Group P.C.*, Case
6 No. 8:23-bk-10571-SC (the “Bankruptcy Case”). I make this declaration in support of the *Application*
7 for *Order Setting Hearing on Shortened Notice* (the “Application”) filed concurrently herewith and
8 related to the *Joint Motion of the Chapter 11 Trustee and the Official Committee of Unsecured
9 Creditors for: (I) Approval of Modified Confirmation Deadlines; (II) Approval of Forms of Notice
10 and Ballots Related to Confirmation; and (III) Entry of Modified Order Approving First Amended
11 Disclosure Statement, Confirmation Procedures, and Granting Related Relief* (the “Motion”)¹ and
12 for all other purposes authorized by law.

13 2. In my capacity as chapter 11 trustee, and except as otherwise indicated, I have personal
14 knowledge of the facts set forth below, and if called as a witness I could and would competently
15 testify to the matters set forth in this declaration.

16 3. I have reviewed the Court's order [Docket No. 1285] denying entry of the Disclosure
17 Statement Order as presented. The Plan Proponents file this Motion to address the issues raised by
18 the Court in its order.

19 4. I believe that consideration of the limited issues raised in the Motion is necessary on
20 an expedited basis to preserve the value of the estate by avoiding delay to confirmation to the extent
21 practicable. The liquidation analysis appended to the Disclosure Statement reflects the Plan
22 Proponents' assessment that Holders of General Unsecured Claims are likely to realize a recovery in
23 this Bankruptcy Case. The estimated recovery, however, is subject to material variances contingent
24 upon, among other things, the administrative expense of the Bankruptcy Case, which continues to
25 accrue preconfirmation. In light of the potential recoveries in this Bankruptcy Case, the Plan
26 Proponents submit that moving expeditiously toward confirmation is appropriate, necessary, and in

¹ Unless otherwise defined herein, all capitalized terms have the definitions set forth in the Motion.

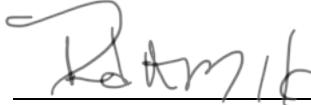
1 the best interests of the Estate and Holders of Claims.

2 5. I understand that a hearing on the Motion is necessary to cure issues raised by the
3 Court in its order and submit that the proposed timeline will not prejudice objecting parties. As set
4 forth in the order, the Court provided that those parties that objected to the Disclosure Statement
5 Motion “must be afforded the opportunity to review and be heard on” “an extension of the affected
6 confirmation dates and approval of the form of notices.” As these matters do not pertain to approval
7 of the Disclosure Statement, which the Court already approved as having adequate information, the
8 LBRs require only a 21-day notice period with objections effectively due 7 days after the filing of the
9 Motion. The Plan Proponents propose that parties affected by the relief requested in the Motion have
10 seven days to oppose the Motion (consistent with the LBRs) following the date it is filed. The Plan
11 Proponents request that any replies be presented a hearing on the Motion to be held as soon as
12 practicable following the objection deadline. Accordingly, I believe that a shortened notice hearing
13 on the limited issues raised in the Motion will not prejudice objecting parties who will still be
14 accorded sufficient time to object.

15 6. I also understand that the Monitor, Nancy Rapoport, is working on an independent
16 report concerning the day-to-day activities of the buyer, MLG, and its compliance with its ethical
17 obligations that should be filed shortly.

18 I declare under penalty of perjury that the foregoing is true and correct.

19 Dated this 5th day of June, 2024, in Irvine, California.

20 
21

22 Richard A. Marshack

23

24

25

26

27

28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 10250 Constellation Boulevard, Suite 900, Los Angeles, CA 90067.

A true and correct copy of the foregoing documents entitled: DECLARATION OF RICHARD A. MARSHACK IN SUPPORT OF APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 6/5/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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- 25 • Johnny White JWhite@wrslawyers.com, jlee@wrslawyers.com
- 26 • Reina Zepeda rzepeda@omniagnt.com

27 2. **SERVED BY UNITED STATES MAIL:** On 6/5/2024, I served the following persons and/or entities
28 at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct
 copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as
 follows.

29 Debtor
30 The Litigation Practice Group P.C.
31 17542 17th St., Suite 100
32 Tustin, CA 92780

33 See attached for additional parties

34 3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FAXSIMILE TRANSMISSION
35 OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling
36 LBR, on 6/5/2024, I served the following persons and/or entities by personal delivery, mail service, or (for
37 those who consented in writing to such service method), by facsimile transmission and/or email as follows.
38 Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will
 be completed no later than 24 hours after the document is filed.

39 The Honorable Scott C. Clarkson
40 United States Bankruptcy Court, Central District of California
41 411 West Fourth Street, Suite 5130 / Courtroom 5C
42 Santa Ana, CA 92701-4593

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2 6/5/2024

Kimberly Hoang

3 Date

Printed Name

/s/ Kimberly Hoang

Signature

7 **Additional Parties Served by U.S. Mail**

8 **Creditors who have the 20 largest unsecured claims**

9 Debt Validation Fund II, LLC
10 5075 Lower Valley Road,
Atglen, PA 19310

11 MC DVI Fund 1, LLC; MC
12 DVI Fund 2, LLC
598 Cottonwood Dr.,
13 Glenview, IL 60026

14 Validation Partners LLC
1300 Sawgrass Pkwy, Ste. 110
15 Sunrise, FL 33323

16 Marich Bein LLC
99 Wall Street, Ste 2669
17 New York, NY 10005

18 Business Centers of America
1100 Sir Francis Drake Blvd,
19 Ste 1, Kentfield, CA 94904

20 JP Morgan Chase
3 Park Plaza, Ste 900
21 Irvine, CA 92614

22 CA Franchise Tax Board
PO Box 942857
23 Sacramento, CA 94257-0511

24 Outsource Accelerator Ltd
City Marque Limited
25 Unit 8801-2 Bldg. 244-248
Des Voeux Rd.
26 Central Hong Kong

27 Collaboration Advisors
400 Dorla Court
28 Zephyr Cove, NV 89448

1 Anthem Blue Cross
2 PO Box 511300
3 Los Angeles, CA 90051-7855

4 Azevedo Solutions Groups, Inc.
5 420 Adobe Canyon Rd.
6 Kenwood, CA 95452

7 Debt Pay Pro
8 1900 E Golf Road, Suite 550
9 Schaumburg, IL 60173

10 Sharp Business Systems
11 8670 Argent St
12 Santee, CA 92071

13 Tustin Executive Center
14 1630 S Sunkist Steet, Ste A
15 Anaheim, CA 92806

16 Exela Enterprise Solutions
17 2701 E. Grauwyler Road
18 Irving, TX 75061

19 Netsuite-Oracle
20 2300 Oracle Way
21 Austin, TX 78741

22 Credit Reporting Service Inc
23 548 Market St, Suite 72907
24 San Francisco, CA 94104-5401

25 Document Fulfillment Services
26 2930 Ramona Ave #100
27 Sacramento, CA 95826

28 Executive Center LLC
29 5960 South Jones Blvd
30 Las Vegas, NV 89118

31 LexisNexus
32 15500 B Rockfield Blvd
33 Irvine, CA 92618

34 **Secured Creditors**

35 Diverse Capital LLC
36 323 Sunny Isles Blvd., Suite 503
37 Sunny Isles, FL 33154

38 City Capital NY
39 1135 Kane Concourse
40 Bay Harbour Islands, FL 33154